



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/516,586

08/08/2005

Masaru Nakatani

81844.0053

9941

26021 7590 09/22/2009
HOGAN & HARTSON L.L.P.
1999 AVENUE OF THE STARS
SUITE 1400
LOS ANGELES, CA 90067

EXAMINER

CHRISTIAN, MARJORIE ELLEN

ART UNIT

PAPER NUMBER

1797

NOTIFICATION DATE

DELIVERY MODE

09/22/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ctkeyner@hhlaw.com
LAUSPTO@hhlaw.com
lbrivero@hhlaw.com

Response to Arguments

Applicant's arguments filed 9/14/2009 have been fully considered but they are not persuasive.

Applicant argues that INAMA (referred to by applicant as HAJIME), TANI, and '449 (KURODA) fail to disclose a molar ratio of 1 to 70 of tryptophan to polyanionic compound, this is not found persuasive. This is not found persuasive as the examiner holds that it would be obvious to optimize a result effective variable as indicated in the final rejection. Examiner acknowledges that the references do not explicitly disclose the exact molar ratio, that is the why the 103 rejection includes case law that indicates it is obvious to optimize result effect variables. Further, KURODA, TANI and INAMA show that the concentrations of tryptophan to polyanionic compound are result effective variables, as shown in the final rejection (see response to arguments).

Additional arguments addressing the amended claims require further search and consideration.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARJORIE CHRISTIAN whose telephone number is (571)270-5544. The examiner can normally be reached on Monday through Thursday 7-5pm (Fridays off).

Art Unit: 1797

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vickie Kim can be reached on (571)272-0579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Krishnan S Menon/
Primary Examiner, Art Unit 1797

MC